

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LLOYD CLIFTON DAVIS,

Plaintiff,

v.

RICK HILL, *et al.*,

Defendants.

Case No. 2:22-cv-00407-JDP (PC)

ORDER TO SHOW CAUSE WHY THIS  
CASE SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE AND FAILURE  
TO COMPLY WITH COURT ORDERS

RESPONSE DUE WITHIN TWENTY-ONE  
DAYS

On December 14, 2022, I screened plaintiff's complaint and notified him that the claims could not proceed together in one action. ECF No. 13. I granted him thirty days to file an amended complaint or advisement indicating his intent to stand by his current complaint, subject to a recommendation that claims, or parties be dismissed. To date, plaintiff has not filed a response.

To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

1 Plaintiff will be given a chance to explain why the court should not dismiss the case for  
2 his failure to file an amended complaint or advisement of his intent to stand by his current  
3 complaint. Plaintiff's failure to respond to this order will constitute a failure to comply with a  
4 court order and will result in a recommendation that this action be dismissed. Accordingly,  
5 plaintiff is ordered to show cause within twenty-one days why this case should not be dismissed  
6 for failure to prosecute and failure to comply with court orders. Should plaintiff wish to continue  
7 with this lawsuit, he shall file, within twenty-one days, an amended complaint or advisement of  
8 his intent to stand by his current complaint.

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10 IT IS SO ORDERED.

11 Dated: March 3, 2023

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13 JEREMY D. PETERSON  
14 UNITED STATES MAGISTRATE JUDGE  
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